

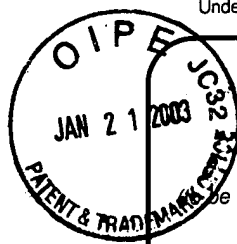
GP 1646

PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

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<b>Application Number</b>	09/767,597		
	<b>Filing Dat</b>	January 22, 2001	
	<b>First Named Inventor</b>	Timothy J. JEGLA	
	<b>Group Art Unit</b>	1646	
	<b>Examiner Name</b>	Olga N. Chernyshev	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	018512-002211US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
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<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Annette S. Parent Reg. No. 42,058
<b>Signature</b>	
<b>Date</b>	January 14, 2003

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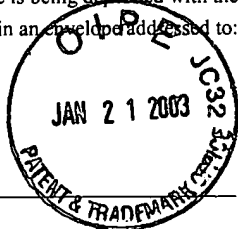
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TOWNSEND and TOWNSEND and CREW LLP

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PATENT  
Attorney Docket No.: 018512-002211US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10  
H.9.3  
2/6/03

In re application of:

Timothy J. JEGLA

Application No.: 09/767,597

Filed: January 22, 2001

For: HUMAN HAC3

Examiner: Chernyshev, Olga

Art Unit: 1646

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/548,933, filed April 13, 2000 (Attorney Docket No. 018512-002210US).. Applicant brings to the Examiner's attention references SANTORO et al. *PNAS USA* 94, 1997 and SANTORO et al. *Cell* 93, 1998, listed on the attached European Search Report. These references were previously submitted in an Information Disclosure Statement in the instant application and are therefore, not being submitted herewith.

Also enclosed is a copy of the Search/Examination report corresponding to the European application mailed on November 15, 2002.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

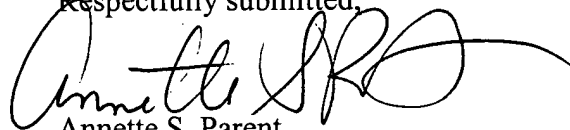
This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

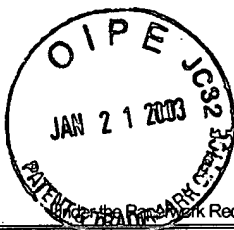
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
ASP:ajg



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 2

**Complete if Known**

Application Number	09/767,597
Filing Date	January 22, 2001
First Named Inventor	Timothy J. JEGLA
Art Unit	1646
Examiner Name	Chernyshev, Olga
Attorney Docket Number	018512-002211US

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**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	1	PCT	WO 00/29448	A2, A3	05-25-2000			<input type="checkbox"/>

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

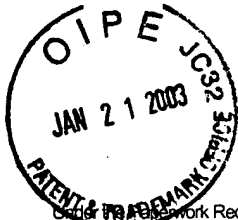
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	2	EMBL Online, Database Accession No. AI571225, visited on October 29, 2002.	
	3	FRINGS, S. et al. "Characterization of ether-à-go-go channels present in photoreceptors reveals similarity to I <sub>Kx</sub> , a K <sup>+</sup> current in rod inner segments," <i>J. Gen. Physiol.</i> April 1998, pp. 583-599, Vol. 131	
	4	GENESEQ Online, Database Accession No. AAA6205 February 2, 2001 (Acquired from Derwent).	
	5	GENESEQ Online, Database Accession No. AAB12147, visited on November 4, 2002.	
	6	JEGLA, T. et al. "Cloning and expression of a novel hyperpolarization-activated cation channel, human HCN3," <i>Society for neuroscience Abstracts, 29th Annual Meeting; Miami Beach, Florida, USA</i> October 23-28, 1999, pg. 1, Abstract No. 893.6.	
	7	LUDWIG, A. et al. "Two pacemaker channels from human heart with profoundly different activation kinetics," <i>EMBO J.</i> May 4, 1999, pp. 2323-2329, Vol. 18, No. 9.	
	8	SANTORO, B. and TIBBS, G.R. "The HCN gene family: molecular basis of the hyperpolarization-activated pacemaker channels," <i>Annals of the New York Academy of Sciences</i> April 30, 1999, pp. 741-764, Vol. 868.	

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet 2 of 2

**Complete if Known**

Application Number	09/767,597
Filing Date	January 22, 2001
First Named Inventor	Timothy J. JEGLA
Art Unit	1646
Examiner Name	Chernyshev, Olga
Attorney Docket Number	018512-002211US

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	9	SWALL Online, Database Accession No. 018965, visited on October 29, 2002.	

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